

REMARKS

The Office Action of December 6, 2007 was received and carefully reviewed. Claims 19, 21-22, and 24-31 were pending prior to the instant amendment, of which claims 24, 25, 27-30 have been withdrawn. By this amendment, claims 19 and 26 are amended. Reconsideration and withdrawal of the currently pending rejections are requested for the reasons advanced in detail below.

Claim 29 was objected to under 37 CFR 1.75(c). Claim 29 has been withdrawn along with claim 30. Thus the claims are believed to be in compliance. However, the term – metal alkoxide – has been amended to recite “metal salt” in claim 19. Said amendment provides further limitation of claim 19. Accordingly, Applicants respectfully request withdrawal of the claim objection.

Claims 19, 21-22, 26 and 30-31 were rejected under 35 U.S.C. §103(a) as being unpatentable over Shuang (CN24443576Y) in view of Ueda et al. (U.S. Patent No. 6,420,057). Claims 19, 21-22, 26 and 30-31 were rejected under 35 U.S.C. §103(a) as being unpatentable over Shuang (U.S. Patent No. 6,316,130) in view of WO 00/32719 and Ueda et al. Claims 19, 21-22, and 31 were rejected under 35 U.S.C. §103(a) as being unpatentable over JP 40-9328679 in view of WO 00/32719 and Ueda et al. However, each of the independent claims recite a specific combination of features that distinguishes the invention from the prior art in different ways. For example, independent claim 19 recites a combination that includes, among other things:

forming the organic compound layer by co-depositing a metal salt, an organic compound including a proton-donating functional group and a functional group having a non-covalent electron pair over the anode or the cathode, and a fluorescent dye . . .

Independent claim 26 recites yet another combination that includes, *inter alia*,

forming the organic compound layer by co-depositing an organic compound represented by a following general formula (3) a metal salt, and a fluorescent dye, over the anode or the cathode . . .

Thus, the claims recite features including a fluorescent dye co-deposited with the organic compound and a metal salt. (Support for the aforementioned feature is provided, at least, by Applicants' originally filed specification, e.g., see paragraph [0091] of U.S. Patent Publication No. 2005/0129978 A1.) At the very least, the applied references, whether taken alone or in combination, fail to disclose or suggest any of these exemplary features recited in independent claims 19 and 26.

In accordance with the M.P.E.P. § 2143.03, to establish a *prima facie* case of obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 409 F.2d 981, 180 USPQ 580 (CCPA 1974). “All words in a claim must be considered in judging the patentability of that claim against the prior art.” *In re Wilson*, 424 F.2d 1382, 1385, 165 USPQ 196 (CCPA 1970). Therefore, it is respectfully submitted that neither Shuang, Ueda et al., WO 00/32719, nor JP 40-9328679, taken alone or in any proper combination, discloses or suggests the subject matter as recited in claims 19 and 26. Hence, withdrawal of the rejection is respectfully requested.

Each of the dependent claims depend from one of independent claim 19 and are patentable over the cited prior art for at least the same reasons as set forth above with respect to claim 19.

In addition, each of the dependent claims also recite combinations that are separately patentable.

In view of the foregoing remarks, this claimed invention, as amended, is not rendered obvious in view of the prior art references cited against this application. Applicants therefore

requests the entry of this response, the Examiner's reconsideration and reexamination of the application, and the timely allowance of the pending claims.

In discussing the specification, claims, and drawings in this response, it is to be understood that Applicant in no way intends to limit the scope of the claims to any exemplary embodiments described in the specification and/or shown in the drawings. Rather, Applicant is entitled to have the claims interpreted broadly, to the maximum extent permitted by statute, regulation, and applicable case law.

Should the Examiner believe that a telephone conference would expedite issuance of the application, the Examiner is respectfully invited to telephone the undersigned patent agent at (202) 585-8316.

Respectfully submitted,

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